

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 13-43305

Dawn Scott,

Chapter 13

Debtor.

Judge Thomas J. Tucker

**ORDER OVERRULING, WITHOUT PREJUDICE,
DEBTOR'S OBJECTION TO PROOF OF CLAIM OF
Lofts at New Center Condominium Association**

This case is before the Court on the "Debtor's Objection to Proof of Claim of **Lofts at New Center Condominium Association**" filed March 21, 2-13 (Docket # 24, the "Objection"). The movant filed a Certification of Non-Response indicating that no one has filed a timely response to the Objection. Nevertheless, the Court must overrule the Objection, without prejudice, because the notice of the Objection was defective.

The Notice of the Objection states that a response to the Objection must be filed no later than April 24, 2013, **15 days** before the hearing. But the Objection was filed after the December 1, 2009 effective date of the national and local rule amendments, so the notice should have informed the creditor "that if the creditor does not file a response by **7 days** before the date set for the hearing on the objection, the Court may cancel the hearing and enter an order sustaining the objection." (*See* L.B.R. 3007-1(a) (E.D. Mich.).) Because the movant failed to file and serve a notice that complied with L.B.R. 3007-1(a) (as amended effective December 1, 2009),

IT IS ORDERED that the Objection (Docket# 24), is OVERRULED, without prejudice.

Signed on April 26, 2013

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge